

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

COLLETTE JACQUES SCOTT,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civ. No. 10-422-LPS-MPT
	:	
SEARS HOLDING CORPORATION,	:	
et al.,	:	
	:	
Defendants.	:	

ORDER

WHEREAS, United States Magistrate Judge Mary Pat Thyng issued a Report and Recommendation (D.I. 14) dated March 22, 2011, after considering Defendants' Motion to dismiss Plaintiff's Complaint (D.I. 6);

WHEREAS, the Report recommends that the Motion be denied in part and granted in part, specifically that the Motion be: (1) DENIED as to Plaintiff's claims of hostile work environment and race discrimination; (2) DENIED WITH LEAVE TO AMEND as to Plaintiff's claim of age discrimination; and (3) GRANTED as to Plaintiff's claims of defamation, breach of covenant of good faith and fair dealing, and for relief due to violations of the Occupational Safety and Health Act, 26 U.S.C. § 660;

WHEREAS, any Objections to the Report and Recommendation were to be filed by August 1, 2011, following extensions requested by Plaintiff and granted by the Court on April 8, May 2, June 7, and June 28, 2011 (D.I. 15-21, 23, 25);

WHEREAS, the final extension, granted in the June 28, 2011 Order (D.I. 25) stated, "Plaintiff shall file any objections to the Report and Recommendation (D.I. 14) on or before August 1, 2011. NO FURTHER EXTENSIONS WILL BE GRANTED;"

WHEREAS, on August 4, 2011, despite the Court's admonition that there would be no further extensions, Plaintiff filed a motion for extension of time to file Objections to the Report and Recommendation, up to and including August 30, 2011 (D.I. 27);

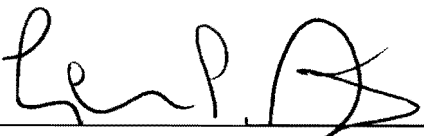
WHEREAS, no party has filed timely Objections to the Report and Recommendation;

WHEREAS, the Court concludes that the Report and Recommendation should be adopted for the reasons stated by United States Magistrate Judge Thyng in her Report and Recommendation (D.I. 14);

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The Motion for Extension of Time (D.I. 27) is DENIED.
2. The Report and Recommendation (D.I. 14) is ADOPTED.
3. The Motion to Dismiss (D.I. 6) is DENIED in part and GRANTED in part as described in the Report.

Dated: August 8, 2011


UNITED STATES DISTRICT JUDGE